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12 Retirement Systems Administration

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14  
15 UNITED STATES DISTRICT COURT  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 IN RE: VOLKSWAGEN “CLEAN DIESEL”  
19 MARKETING, SALES PRACTICES, AND  
20 PRODUCTS LIABILITY LITIGATION

MDL No. 2672 CRB (JSC)

**STIPULATION REQUESTING AN  
ORDER CHANGING TIME TO TAKE  
CERTAIN ALLOWED DEPOSITIONS BY  
FIFTEEN (15) DAYS; ~~PROPOSED~~  
ORDER THEREON**

21 This Document Relates To:

22 *BRS v. Volkswagen AG, et al.*, Case No. 16-cv-  
23 3435 (“Bondholders Securities Action”)

JUDGE: Hon. Charles R. Breyer  
CRTRM: 6, 17th Floor

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STIP. REQUESTING ORDER CHANGING TIME TO TAKE CERTAIN DEPOS; ~~PROPOSED~~ ORDER  
MDL No. 2672 CRB (JSC)

1 Pursuant to Civ. L.R. 6-2, Lead Plaintiff Puerto Rico Government Employees and Judiciary  
2 Retirement Systems Administration (“Plaintiff”) and Defendants Volkswagen AG (“VWAG”),  
3 Volkswagen Group of America, Inc. (“VWGoA”) and Volkswagen Group of America Finance,  
4 LLC’s (“VWGoAF”), Martin Winterkorn, and Michael Horn (collectively, “Defendants”), by and  
5 through their counsel of record hereby stipulate as follows:

6 WHEREAS, on April 22, 2024, this Court issued the Order re Bondholder Action Status (the  
7 “Order”) (*see* Dkt. 8217);

8 WHEREAS, the Order provided in part, that “Plaintiff may take the depositions of Paul  
9 Hopgood, Jaime Pandal, and Jesus Mattei, not to exceed one hour per deponent. In each deposition,  
10 Plaintiff can only ask questions about the issue of reliance. Plaintiff shall take these depositions  
11 within the next 45 days.” *See* Dkt. 8217 at 2:5-8;

12 WHEREAS, under the terms of the Order, the last day Plaintiff can take the depositions of  
13 Messrs. Hopgood, Pandal, and Mattei is June 6, 2024;

14 WHEREAS, each of these deponents work and reside in Puerto Rico;

15 WHEREAS, each of these deponents were previously served with subpoenas in this case  
16 during the summer of 2019;

17 WHEREAS, Plaintiff represents that despite Plaintiff’s counsel attempts to contact the  
18 deponents via the email addresses provided by them or their counsel in summer of 2019, its hiring  
19 of process servers and an investigator, and its repeated attempts to serve the deponents, to date,  
20 Plaintiff has only been able to serve a subpoena for deposition on Mr. Pandal and have only received  
21 communications from Mr. Pandal and his current counsel and has been unable to serve Mr. Hopgood  
22 and Mr. Mattei;

23 WHEREAS, Plaintiff represents that it is diligently continuing to attempt to serve Mr.  
24 Hopgood and Mr. Mattei with subpoenas for their depositions;

25 WHEREAS, Plaintiff has requested, if the Court is so amenable, that Plaintiff may have an  
26 additional fifteen (15) days to serve subpoenas for deposition on and take the depositions of Mr.  
27 Hopgood, Mr. Pandal, and Mr. Mattei;

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1 WHEREAS, Defendants maintain that the depositions of Messrs. Hopgood, Mattei, and  
2 Pandal are unnecessary, but consent as a professional courtesy to a single fifteen-day extension of  
3 the deadline for Plaintiff to attempt to subpoena and depose these witnesses;

4 WHEREAS, there has been no previous time modifications related to the Order, and a grant  
5 of this requested time modification will have no effect on the schedule for this case;

6 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties  
7 and their respective counsel of record, if this Court is so amenable, that:

8 Plaintiff may have until and including June 21, 2024, to serve subpoenas for  
9 deposition and take the depositions of Paul Hopgood, Jaime Pandal, and Jesus  
10 Mattei. Pursuant to the terms of the Order re Bondholder Action Status (Dkt. 8217),  
11 each deposition may only take one hour and may only concern the issue of reliance.

12  
13 ABRAHAM, FRUCHTER &  
14 TWERSKY, LLP

15 Dated: May 31, 2024

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STIP. REQUESTING ORDER CHANGING TIME TO TAKE CERTAIN DEPOS; [~~PROPOSED~~] ORDER  
MDL No. 2672 CRB (JSC)

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 3, 2024



THE HONORABLE CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE